

ASSEMBLY BILL

No. 1068

Introduced by Assembly Member Ma

February 18, 2011

An act to amend Section 8879.61 of the Government Code, relating to transportation, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1068, as introduced, Ma. Transportation bond funds.

Existing law, the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, authorizes the issuance of general obligation bonds for various transportation purposes. Existing law requires that \$1,000,000,000 of those funds be deposited in the Transit System Safety, Security, and Disaster Response Account, administered by the California Emergency Management Agency (Cal EMA), for capital projects that provide increased protection against a security and safety threat, and for capital expenditures to increase the capacity of transit operators to develop disaster response transportation systems, as specified. Existing law requires 25% of the available funds to be allocated to certain regional public waterborne transit agencies. Existing law requires entities receiving funds from the account to expend those funds within 3 fiscal years of the fiscal year in which the funds were allocated and requires that funds remaining unexpended after those 3 years revert to Cal EMA for reallocation in subsequent fiscal years.

Notwithstanding these provisions, this bill would provide that entities receiving an allocation of the funds set aside for regional public waterborne transit agencies, relative to allocations of funds made prior to June 30, 2011, shall have 4 fiscal years from the last day of the fiscal

year in which the funds were received by that entity to expend those funds.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 8879.61 of the Government Code is
2 amended to read:

3 8879.61. (a) (1) Entities described in subdivisions (a), (b),
4 and (c) of Section 8879.57 receiving an allocation of funds pursuant
5 to this article shall expend those funds within three fiscal years of
6 the fiscal year in which the funds were allocated. Funds remaining
7 unexpended thereafter shall revert to the California Emergency
8 Management Agency, as applicable, for reallocation *under this*
9 *article* in subsequent fiscal years.

10 (2) *Notwithstanding paragraph (1), for an allocation of funds*
11 *made prior to June 30, 2011, to an entity described in subdivision*
12 *(b) of Section 8879.57, that entity shall have four fiscal years from*
13 *the last day of the fiscal year in which the funds were received by*
14 *that entity to expend those funds.*

15 (b) Entities that receive grant awards from funds allocated
16 pursuant to subdivisions (b) or (c) of Section 8879.57 are not
17 eligible to receive awards from the funds allocated pursuant to
18 subdivision (a) of Section 8879.57.

19 (c) Funds appropriated for the program established by this article
20 in the Budget Act of 2007 shall be allocated consistent with the
21 allocation schedule established in Section 8879.57.

22 SEC. 2. This act is an urgency statute necessary for the
23 immediate preservation of the public peace, health, or safety within
24 the meaning of Article IV of the Constitution and shall go into
25 immediate effect. The facts constituting the necessity are:

26 In order to ensure that regional public waterborne transit agencies
27 have sufficient time to complete projects using certain
28 transportation bond funds, it is necessary that this act take effect
29 immediately.

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